

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE

UNITED STATES OF AMERICA <i>ex rel.</i>	)	
JEFFREY H. LIEBMAN and DAVID M.	)	
STERN, M.D.,	)	Case No.: 3:17-cv-00902
	)	
Plaintiff-Relators,	)	JUDGE CAMPBELL
	)	MAGISTRATE JUDGE HOLMES
v.	)	
	)	
METHODIST LE BONHEUR HEALTHCARE	)	
and METHODIST HEALTHCARE-MEMPHIS	)	
HOSPITALS,	)	
	)	
Defendants.	)	
	)	

---

**O R D E R**

A lengthy status and discovery hearing was held on December 20, 2022 to address the pending discovery disputes addressed in Docket Nos. 268, 271, 273, and 296. Counsel participating were: Jerry Martin and Seth Hyatt for the Relators; Assistant U.S. Attorneys Kara Sweet and Wynn Shuford for the United States; Brian Roark, Robert Salcido, Taylor Sample, Taylor Chenery, and Hannah Weber for Defendants Methodist Le Bonheur Healthcare and Methodist Healthcare-Memphis Hospitals; and, Andrew Solinger for West Clinic.

Throughout the hearing, the Court made extensive findings and conclusions. The Court intends to issue a separate order supplementing the findings and conclusions and addressing the discovery disputes in greater detail, but to confirm the deadlines, particularly given the intervening holidays, the following is ORDERED:

1. By no later than **December 30, 2022**, the United States must, in supplemental responses to Requests for Production No. 8, 9 and 10, confirm that it has produced all non-privileged responsive documents.

2. Defendants must by no later than **December 30, 2022**, provide for *in camera* review the documents withheld as privileged in connection with the dispute regarding the participation of Mounce and/or Davis in the claimed privilege communications.<sup>1</sup>

3. By no later than **January 6, 2023**, Defendants must file three separate motions to determine sufficiency of the United States' responses to (i) Requests for Admission Nos. 3 and 4, (ii) Request for Admission No. 4, and (iii) Requests for Admission Nos. 7 and 8. By no later than **January 13, 2023**, the United States must respond to each of the three motions. Briefs or memoranda of law in support of or in opposition to any motion shall not exceed 5 pages each. No replies shall be permitted.

4. All other matters will be addressed in detail by separate order, either as discussed during the discovery hearing or by later ruling of matters taken under advisement.

It is SO ORDERED.



BARBARA D. HOLMES  
United States Magistrate Judge

---

<sup>1</sup> The parties' attention is directed to this deadline, which was not specifically discussed during the discovery hearing.